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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 120109034–2171–01]

RIN 0648- XE778

Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Commercial Northern Red Hake Inseason Possession Limit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason adjustment.

SUMMARY: We announce the reduction of the commercial possession limit for northern red hake for the remainder of the 2016 fishing year. This action is required to prevent the northern red hake total allowable landing limit from being exceeded. This announcement informs the public that the northern red hake possession limit is reduced.

DATES: Effective [*insert date of publication in the FEDERAL REGISTER*], through April 30, 2017.

FOR FURTHER INFORMATION CONTACT: Reid Lichwell, Fishery Management Specialist, 978-675-9112.

SUPPLEMENTARY INFORMATION:

The small-mesh multispecies fishery is managed primarily through a series of exemptions from the Northeast Multispecies Fisheries Management Plan. Regulations governing the red

hake fishery are found at 50 CFR part 648. The regulations describing the process to adjust inseason commercial possession limits of northern red hake are described in § 648.86(d)(4) and (5). These regulations require the Regional Administrator to reduce the northern red hake possession limit from 3,000 lb (1,361 kg) to 1,500 lb (680 kg) when landings have been projected to reach or exceed 45 percent of the total allowable landings (TAL). The northern red hake possession limit is required to be further reduced to 400 lb (181 kg) if landings are projected to reach or exceed 62.5 percent of the TAL, unless such a reduction would be expected to prevent the TAL from being reached. The setting of these inseason adjustment thresholds were established in the final rule implementing the small-mesh multispecies specifications for 2015-2017, published in the **Federal Register** on May 28, 2015 (80 FR 30379).

These measures were imposed because the annual catch limits (ACL) for northern red hake were exceeded for the 2012 and 2013 fishing years, and northern red hake was experiencing overfishing. To reduce the risk of continued overfishing on the stock and to better constrain catch to the ACL, we implemented this possession limit reduction trigger.

Based on commercial landings data reported through July 23, 2016, the northern red hake fishery is projected to reach 45 percent of the TAL on July 31, 2016. Based on this projection, reducing the commercial northern red hake possession limit to 1,500 lb (680 kg) is required to prevent the TAL from being exceeded. Upon the effective date of this action, no person may possess on board or land more than 1,500 lb (680 kg) of northern red hake, per trip for the remainder of the fishing year.

Classification

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 2016.

Emily H. Menashes,

Acting Director,

Office of Sustainable Fisheries,

National Marine Fisheries Service.

[FR Doc. 2016-18715 Filed: 8/5/2016 8:45 am; Publication Date: 8/8/2016]